

OPPENHEIMER

OPPENHEIMER WOLFF & DONNELLY LLP

Plaza VII, Suite 3300
45 South Seventh Street
Minneapolis, MN 55402-1609

612.607.7000
Fax 612.607.7100

RECEIVED
CENTRAL FAX CENTER

NOV 27 2006

FAX COVER LETTER

November 27, 2006

TO: Examiner Robert L. Nasser
COMPANY: Commissioner for Patents – Art Unit 3735
PHONE: 571.272.4731
FAX: 571.273.8300

FROM: Dena VanDeVoort Ehrich
DIRECT DIAL: (612) 607-7345
EMAIL: DVanDeVoort@oppenheimer.com
RE: U.S. Patent Application No. 10/668,750
Attorney Docket No.: 11242-320

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being facsimile transmitted to Mail Stop
Amendment, Commissioner for Patents on the date listed below

1. Transmittal Form
2. Amendment and Response to Office Action


Dena VanDeVoort Ehrich

11.27.06

Date

This facsimile contains confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged. If you are not the addressee, or the person responsible for delivering it to the addressee, you are hereby notified that reading, disseminating, distributing or copying this facsimile is strictly prohibited. If you have received this facsimile by mistake, please immediately notify us by telephone and return the original message to us at the address above via the Postal Service (we will reimburse postage). Thank you.

Originals: Not being sent

Completed by: Dena VanDeVoort Ehrich/7345

You should receive 2 page(s) excluding this page.
If the transmission is incomplete, please call 612.607.7345 as soon as possible.

NOV 27 2006

U.S. Patent Appln. No.: 10/668,750
Response to Office Action Dated August 25, 2006
Page 1 of 9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kimball et al.

Serial No.: 10/668,750

Filing Date: September 23, 2003

Title: DEVICE FOR ASSESSING PERFUSION
FAILURE IN A PATIENT BY
MEASUREMENT OF BLOOD FLOW

Docket No.: 11242-320

Group Art Unit: 3735

Examiner: Robert L. Nasser

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing/Transmission

Under 37 CFR 1.8, I hereby certify that these papers and fee(s) are being
facsimile transmitted to Mail Stop Amendment, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450, via facsimile
number 571/273-8300 on the date shown below 11.27.06
Dena VanDeVoort Ehrich Date**RESPONSE UNDER 37 C.F.R. §1.111**

This responds to the Office Action dated August 25, 2006. Claims 1-38 and 61 are pending in the application. Claims 1-38 and 61 are rejected.

REMARKS begin on page 2.

CLAIM APPENDIX begins on page 5.